

**Private Land Public Wildlife Advisory Council
MEETING PRODUCT
June 19-20, 2014**

I. Draft Council Goals

The Council reviewed, evaluated and refined their draft goals producing the following goals:

GOAL 1: Maximize access to public lands while respecting and understanding private property rights.

GOAL 2: Improve communication and relationships among outfitters, landowners, hunters, and Fish, Wildlife and Parks (FWP) in order to understand and respect all stakeholders.

GOAL 3: Increase public access to private property and outfitted lands owned by traditional and non-traditional landowners by addressing their needs and building relationships.

GOAL 4: Enhance the Block Management Program (BMP) to improve use for all stakeholders.

GOAL 5: Promote hunter education and responsible behavior.

II. Draft Council Goals with Preliminary Recommendations

The PL/PW Council worked throughout the day on all preliminary recommendations developed by the Council to date, four of which were recently refined and offered up by Working Groups, and one that was proposed as a new recommendation (Home to Hunt combined license). The preliminary recommendations were reformatted by staff into a new framework. The results of the Council efforts throughout the meeting are shown on the following pages.

GOAL 1. Maximize access to public lands while respecting and understanding private property rights.

Preliminary Recommendation 1: The Governor should coordinate the appointment of an Interagency Access Committee, led by MACO, with representatives from the BLM, USFS, USFWS, DNRC and FWP, to be charged with: (1) developing an inventory of public roads; (2) developing an inventory of public lands where public access is restricted or not available, and; (3) issuing an annual report that will be made available to the public and agencies to assist with projects and programs designed to promote public access to public lands. Adequate funding and personnel should be provided to fulfill this recommendation.

Details of the Recommendation

Rationale

A document containing an inventory of public lands where public access is restricted or not available, and an inventory of public roads would eliminate some conflict between sportsmen and private property owners. Legal access points would be made known to sportsmen and landowners, and improved relationships would result. Over the long term, access to public lands would be improved.

In addition, implementation of this recommendation would give visibility to the PL/PW Council's concern about public access to public land. It would allow Governor Bullock to take appropriate action that reinforces his interest in public access. It would help the Interagency Access Committee to become more effective. And, it is a recommendation that is specific, viable, and potentially effective in improving agency access coordination.

Work In Progress/Next Steps

1. The Access Roads Working Group will meet to refine and finalize this recommendation between the June and August PL/PW Council meetings.

Preliminary Recommendation 2: FWP should develop voluntary corner -crossing access agreements through the FWP *Access Public Lands* Program that will provide public access to public land that is not otherwise legally accessible.

Details of the Recommendation

1. Terms of the agreements would specify:
 - a) no restrictions on species that could be hunted;
 - b) no restrictions on weapons that could be used;
 - c) access would be available from September 1 – January 1;
 - d) only walk-in hunting access would be allowed;
2. Public notice of project sites may include:
 - a) publication of online coordinates,
 - b) maps made available at FWP offices and on FWP website, and
 - c) on-the-ground markers and signage, offered in the least intrusive manner possible, similar to that used a bridge fishing access sites;
 - d) parking areas, where necessary, would be established through terms specific to the individual landowner agreements;
3. Hunters using the program are advised to be proficient in the use of a GPS, and encouraged to complete the Hunter-Landowner Stewardship Project

Rationale

FWP should work with interested, volunteer landowners in a respectful manner to increase access to public land.

Implementation Strategies

- a) Establish one or two agreements in September 2014, if possible, and at least one agreement per FWP Region thereafter
- a) Initial volunteers may be sought by willing Council members, wardens and biologists.
- b) Upfront costs to FWP are anticipated for signage, set-up, fencing, materials, staff time, etc. These and other longer term costs are anticipated to maintain the program.
- c) BMP access coordinators may conduct follow-up monitoring of landowner satisfaction
- d) Sign-in boxes should be used to track hunter participation and acquire hunter satisfaction data.
- e) FWP field staff used to evaluate program

Work In Progress/Next Steps

1. The \$500 fee proposed in an earlier iteration of this recommendation was removed for the 2014 pilot effort. The intent is to find one or two landowners who are willing to enter into Corner Crossing agreements with out charge in the Fall of 2014 and then evaluate the outcomes of the pilot effort.
2. Over the longer term, additional parameters, such as minimum acreages, may need to be developed, especially if agreements involve a payment.

Preliminary Recommendation 3: FWP should continue and expand the existing program to mark boundaries and legal entry/ exit points on legally accessible public lands.

Details of the Recommendation

1. If necessary, develop an interagency Memorandum of Understanding (MOU) to accomplish this work on public land by all agencies.
2. Replicate and expand the existing program as a model to be used around the state.
3. Support the hiring/retention of staff to accomplish the work.

Rationale

Implementation Strategies

Would not require legislation; might require re-allocating existing resources (staff and money) or might require additional resources.

Work In Progress/Next Steps

Preliminary Recommendation 4: Create a new “Home to Hunt License” statute by combining elements of “Native Montana Nonresident License” (MCA 87-2-514) with current “Home to Hunt license” (MCA 87-2-526). *[Staff Note: An Interoffice Memorandum to the members of the PL/PW Council and a matrix of “New License Options” was reviewed in conjunction with this recommendation. See Attachment B with this document.]*

Details of the Recommendation

Six possible license options were reviewed and discussed by the Council. Two options were chosen to offer for full Council consideration at the next meeting, with the only difference between the two options being the degree of kinship qualifying for sponsorship (*highlighted in red ink below*).

Strawdog Option 2a New License	OR	Strawdog Option 2b New License
500 deer/elk 500 deer	OR	500 deer/elk 500 deer
Must have previously purchased a MT resident hunting license (OR) Must have completed MT hunter ed course prior to March 1, 2015 (OR) Must have been born in MT, and be natural or adoptive child, sibling, or parent of MT resident.	OR	Must have previously purchased a MT resident hunting license (OR) Must have completed MT hunter ed course prior to March 1, 2015 (OR) Must have been born in MT, and be natural or adoptive child, sibling, or parent of MT resident.
Must be sponsored by MT resident family member within 1st degree of kinship	OR	Must be sponsored by MT resident family member within 2nd degree of kinship.
½ fee for B-10 (\$486); ½ fee for B-11 (\$288)	OR	½ fee for B-10 (\$486); ½ fee for B-11 (\$288)
All revenue earmarked for access to public land.	OR	All revenue earmarked for access to public land.
\$387,00 if all sell	OR	\$387,00 if all sell
	OR	2nd degree pool always larger than 1st degree pool.

NOTE:

1st degree of kinship includes the natural or adoptive child, sibling, or parent.

2nd degree of kinship includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter.

Rationale

The Come Home to Hunt License is the primary source of revenue for FWP to use to secure public hunting access to public land, and due to changes that have occurred since its inception, the license is no longer viable. With the changes in price and type that have been recommended by the Licensing and Funding Advisory Council, it makes sense to combine attributes of both license types into a single license statute. By removing some of the restrictions associated with use of the licenses, and modifying the criteria for eligibility and sponsorship, sales of the licenses can be expected to increase to a point where they generate adequate revenue to fund public land access efforts while meeting the needs of nonresident hunters hoping to be sponsored by a Montana resident family member.

Background

There are currently two types of similar nonresident (NR) deer and elk licenses that have been rendered unappealing and/or nonfunctional due to changes that have occurred since their adoption.

MCA 87-2-526 provides authority for FWP to issue a B10 NR deer/elk combination license or B11 NR deer combination license to a nonresident hunter sponsored by a resident family member. The hunter is required to be hunt with a family member. There is a limit of 500 B10 and 500 B11 licenses of this type, and all license revenue is earmarked for FWP to use to secure public access to public land.

MCA 87-2-514 provides authority for FWP to issue a nonresident fishing license, upland game bird license, deer A tag, and elk license to a “nonresident relative of a resident,” defined as “a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident, but is not a resident.” The fee for each of these licenses is four times the amount charged for an equivalent resident license. There is no limit on these licenses. Most of the revenue from these licenses goes into the FWP general license account.

In 2014, the Fish & Wildlife Licensing and Funding Advisory Council developed recommendations to change deer and elk licenses under MCA 87-2-514 into B11 deer combination and B10 deer/elk combination license types, and change the fees for B11 deer combination and B10 deer/elk combination licenses under both MCA 87-2-526 and 87-2-514 to ½ the fee charged for nonresident general B11 deer and B10 deer/elk combination licenses. All B11 and B10 combination licenses include fishing and upland bird license privileges.

The Licensing and Funding Advisory Council also asked the Private Land/Public Wildlife Council to consider developing a recommendation as to how the two license types created in MCA 87-2-514 and MCA 87-2-526 might be combined into a single license statute, since the original Home to Hunt License was a product of previous PL/PW Council recommendations.

Implementation Strategies

Work In Progress/Next Steps

1. Strawdog options 2a and 2b (above) were chosen for review, refinement and finalization by the full PL/PW Council at their August meeting.

GOAL 2: Improve communication and relationships among outfitters, landowners, hunters, and Fish, Wildlife, & Parks (FWP) in order to understand and respect all stakeholders.

Preliminary Recommendation 1: Market, advertise, and more strategically communicate the value and availability of FWP access options to landowners and other stakeholders.

Details of the Recommendation

Specific actions that FWP should take to market, advertise and more strategically communicate the value and availability of access options for landowners and other stakeholders are:

1. **Develop a booklet** that identifies that range of options available to landowners who could provide public recreation access. The booklet should explain, with specific examples, how many of the programs can be tailored to each landowner. Include landowner liability information.
2. **Develop a website** geared towards landowners, which makes the “landowner toolbox” easy to understand. One section of the website should be used to clarify landowner liability protections under current statute.
3. **Develop a commercial/series of commercials** that markets relationships between hunters and landowners in order to “re-brand” these relationships. The vision is of a landowner and hunter standing and working together.

Rationale

Implementation Strategies

Work In Progress/Next Steps

GOAL 3: Increase public access to private property and outfitted lands owned by traditional and non-traditional landowners by addressing their needs and building relationships.

Preliminary Recommendation 1: FWP should expand the options within the statutory authority of MCA 87-2-513 (*Landowner Elk Permit for Access Program – formerly referred to as HB 454 Program*) to allow issuance of either-sex or antlerless elk permit(s) to a landowner who offers free public hunting through a contractual public elk hunting access agreement.

Details of the Recommendation

1. Permits may be issued in ratios that could include a 1:1 ratio for either-sex (ES) permits between landowner and public, with remainder of permits issued under this authority being antlerless (A) permits for the public. This would maintain statutory cap of no more than 20% of total permits issued under MCA 87-2-513 being issued to landowner, landowner's family member, or ranch employee.

EXAMPLE: an agreement might allow for the following MCA 87-2-513 permits:

- 1 ES permit to landowner, 1 ES permit to public + min. 3 A permits to public
 - 2 ES permits to landowner, 2 ES permit to public + min. 6 A permits to public
 - 3 ES permits to landowner, 3 ES permits to public + min. 9 A permits to public
2. In addition to the MCA 87-2-513 permits issued in the examples cited above, the number of additional antlerless opportunities provided to hunters with permits (or licenses) valid for the entire hunting district will depend upon the specific circumstances of the agreement, including such factors as elk herd objective levels, size of land enrolled, etc.
 3. The intent of expanding this program is to increase landowner participation and access for sportsmen during the regular hunting seasons (bow and general), while still allowing flexibility for potential participation in early or late management seasons or damage hunts, IF statutory and ARM public hunting access eligibility criteria is met.
 4. Landowners and hunters participating in the program are encouraged to complete the Hunter-Landowner Stewardship Project course before applying.
 5. This effort should be considered a pilot effort that would last for four years.
 6. FWP is encouraged to accept landowners into this program only if the landowner has not already been issued an elk permit through landowner preference.

Rationale

The rationale for the recommendation is to create more incentive for more landowners to participate in this program, to create more access opportunities for sportsmen and to offer additional tools for managing elk. This program was created in law in 2003, but has had only one landowner per year participate in the program.

Background

MCA 87-2-513 provides authority for FWP to issue either-sex or antlerless elk permit(s) to a landowner who enters into contractual public elk hunting access agreement under the following provisions:

- Permits are nontransferable and may not be sold;
- Permits may only be used on landowner's property that is opened to public access through a contractual agreement;
- No more than 20% of the permits issued may go to the landowner, landowner's family member, or full-time ranch employee;
- Through the contractual public elk hunting access agreement, the landowner must allow free public elk hunting throughout the regular hunting season;
- The contractual public elk hunting access agreement must also include public hunting by hunters using permits (or B licenses) valid for the hunting district;
- The contractual public elk hunting access agreement developed by the department and the landowner defines the areas that will be open to public elk hunting, the number of public elk hunting day that will be allowed on the property, and other factors that the department and the landowner consider necessary for the proper management of elk on the landowner's property.

Implementation Strategies

Work in Progress/Next Steps

1. The HB454 Working Group will schedule a conference call to reconsider the proposed ratio of 1:1 and finalize the preliminary recommendation for full Council consideration at the August meeting.

GOAL 4: Enhance the Block Management Program (BMP) to improve use for all stakeholders

Preliminary Recommendation 1: *(Staff Note: Council members in attendance at the June meeting felt that this GOAL and associated recommendations required much more work by the full Council over the next several months, so while it is retained here as a placeholder, there is no expectation that any finalized DRAFT recommendations will be developed by the August 2014 meeting for this goal.)*

Details of the Recommendation

1. The PL/PW Council supports, and would like to maintain, the cooperator flexibility currently built into the Block Management Program.
2. Move forward with web-based enhancements to the BMP website.
3. Where feasible, enhance BMP maps with fence lines and other landmarks.
4. Develop a BMP Smartphone app and explore possibilities to either sell the app to users or sign a financing agreement with a private company to develop the app.
5. Promote regional consistency, both through boots on the ground and the options that are available to landowners.

Rationale

Implementation Strategies

Work in Progress/Next Steps

1. Goal 4 and its associated recommendation will require further discussion and development, over time, by the full Council.

GOAL 5: Improve hunter compliance and recognize good behavior.

Preliminary Recommendation 1: The Council recommends that the Hunter-Landowner Stewardship Project (HLSP) be supported, encouraged, updated, improved, and expanded.

Details of Recommendation

1. Increase participation through development of a marketing and information plan.
 - a) Encourage FWP staff to complete the HLSP course and help market it; raise awareness of project at appropriate FWP public meetings and through displays and information materials at FWP offices; utilize FWP website to promote the project;
 - b) Encourage hunter education and bow hunter education instructors to complete the HLSP course and encourage students to also complete the HLSP course;
 - c) Increase outreach with high schools, perhaps promoting project as homework assignment or extra credit; target college programs that include agriculture and wildlife majors as a pilot effort;
 - d) Encourage private sector companies to help promote the project;
 - e) Utilize media outlets like TV outdoor sportshows and FWP Wardens TV show to promote the project;
 - f) Target an audience that is all inclusive of hunters, landowners, and resource-oriented citizens of Montana;
 - g) Encourage Governor to promote the project as a means of helping bridge the gap between rural/urban Montana citizens and resident/nonresident Montana landowners;
2. Update, improve and expand the program.
 - a) Add new videos, perhaps having them change periodically, and utilize videos featuring female hunters;
 - b) Improve analytics of web-based system to gather useful data;
 - c) Explore additional incentives to encourage people to complete the project, including an informational booklet for landowners; decals, patches, or other rewards for individuals who complete the project;
 - d) Encourage FWP to appoint a small advisory group to assist with this effort, including varying age groups for appropriate representation;

Rationale

We believe citizens and wildlife in Montana will benefit by more people completing the Hunter-Landowner Stewardship Project because the program helps to bridge the rural-urban community gap, promote good hunter-landowner relationships, and reduce unintended consequences related to hunting on private lands. The project provides tools to gain knowledge of the importance of respect, appreciation, privilege, and responsible behavior to help develop understanding and build relationships to improve hunting opportunities and experiences on private land.

Background

The Montana Hunter-Landowner Stewardship Project is a web-based information program available for anyone interested in promoting responsible hunter behavior and good hunter-landowner relations in Montana.

The program is delivered through an interactive webpage found on the Montana Fish, Wildlife & Parks (MFWP) website www.fwp.gov. It is a voluntary program designed to be completed by participants, at their own pace. Upon successful completion, participants are awarded a certification of completion and they can request a free cap and bumper sticker bearing the Hunter-Landowner Stewardship Project logo from MFWP.

The Hunter-Landowner Stewardship program was developed based on recommendations from two citizen's advisory councils, the Hunter Behavior Advisory Council and the Private Land Public Wildlife Council, urging MFWP to expand efforts to promote responsible hunter behavior and good hunter-landowner relationships beyond Montana's basic hunter education program. In response, the agency convened a group of hunters and landowners to identify key issues relevant to the topic, and assist with development of information that might help effectively address those issues.

Goals of the program are:

- To promote better understanding of the common ground and different perspectives held by landowners and hunters
- To promote better understanding among landowners and hunters about what constitutes acceptable hunter behavior.
- To provide landowners and hunters with information and ideas about how to develop and maintain good relationships
- To provide information about the shared experience of landowners and hunters in various hunting situations.

The webpage can be found at www.fwp.gov by clicking on the links in the following order: "Hunting", and then under quick links "Hunter-Landowner Stewardship Project".

Implementation Strategies

Suggested Implementation Schedule (*assumes Recommendation is adopted*)

- a) Draft recommendation goes out for public comment;
- b) Final recommendation adopted by Council
- c) Report presented to Governor, FWP, and Legislature – January 2015
- d) Advisory group appointed by February 2015
- e) Project refined throughout 2015, based on information plan and resources
- f) FWP provides Interim Progress Report to Council by June 1, 2015

Work in Progress/Next Steps

Preliminary Recommendation 2: Encourage stronger penalties and higher prioritization of Fish and Game violations in Montana’s courts of limited jurisdiction.

Details of the Recommendation

Rationale

Implementation Strategies

Work in Progress/Next Steps

1. Ron Bullis will investigate possible progress made by the Montana Magistrates Association, who is planning to work with the Montana Legislature to encourage reasonable improvements to FWP enforcement laws for courts of limited jurisdiction.
2. The Council suggested inviting Judge Howard or another MMA representative to visit the Council when the legislative proposal is complete so that the Council can decide whether to “sign on” in support of any legislation.

Preliminary Recommendation 3: Develop Public Service Announcements (PSAs) that recognize and publicize good hunter/landowner relations.

Details of the Recommendation

1. Publicize work done by landowners, hunters, outfitters, FWP and others to promote access and relationships.
 - a. FWP could actively solicit and promote this work in public forums, for example, on FWP's website. This would also be a great way to form and/or strengthen partnerships with NGOs.
 - b. Request that Information and Education staff at Regional Offices help facilitate this publicity.
 - c. Request that Alan Charles, in coordination with regional Information and Education staff, put together a list of awards currently offered to stakeholders by various organizations.
 - d. Also provide recognition in a general way, not specific to any particular individual, for landowners and outfitters who are not formally enrolled as BMP cooperators but still provide access.
 - e. A commercial could be developed that shows a landowner and hunter working together.

Rationale

Implementation Strategies

Work in Progress/Next Steps